

CLAIM 28. The method of Claim 21, in which the solution [comprises] consists of: iodine: about at least 0.1%; hydriodic acid: at least about 0.01%; propionic acid, and [the like] equivalents thereof: at least about 10%; [phosphoric acid and/or sulfuric acid, and the like] an acid: sufficient to obtain a pH of about -2 to 34; a buffer: about 0% - 10%; and, propylene glycol, and [the like] equivalents thereof: about 0 - 10%, all parts by weight.

CLAIM 29. The method of Claim 28, in which the solution [comprises] consists of: iodine: [up to] 0% - 5%; hydriodic acid: about 0.01% - 2%; propionic acid, and [the like] equivalents thereof: about 10% - 75%; [phosphoric acid and/or sulfuric acid, the like:] an acid sufficient to obtain a pH of about -2 to 3; a buffer: about 0% - 10%; and, propylene glycol, and [the like] equivalents thereof: about 5% - 30%, all parts by weight.

CLAIM 40. The method of Claim [19] 21, for use as a bovine teat dip.

CLAIM 41. The method of Claim [20] 28, for use as a bovine teat dip.

REMARKS:

The claims have been revised to overcome the rejections under 35 U.S.C. 112 and 103.

Specifically, the term, "and the like" has been cancelled and replaced by the term, "and equivalents thereof", and is supported by the disclosure on page 3, lines 27 and 28.

Claim 19 has been cancelled to overcome the rejection of indefiniteness.

Claims 4, 7 and 21 have been revised in the following areas:

1. The propionic acid is stated to combine with ambient ammonia arising from fermenting litter and manure to form ammonium propionate, which inhibits or prevents microorganism formation. This will distinguish both the Knesler, et al, and the PCT references to Gluck.

2. Moreover, it will be noted that the amount of propionic acid used in Knesler, et al is far in excess as that disclosed in Applicants' patent, viz., Knesler is preferably in the range of 78% - 93%, and the amount of ammonia employed is about 5% maximum. The idea in Knesler is to form ammonium propionate in situ, whereas Applicants' use of propionic acid is to neutralize ambient ammonia, and this is distinguished in the claims.

3. The term, "comprising" has been changed to, "consisting of" to exclude the use of a peroxide, as noted in the PCT publication to Gluck.

THE REFERENCES:

KNESLER, ET AL:

Knesler discloses the use of propionic acid and ammonia for use as a livestock nutrition feed. By contrast, Applicants' formulation requires the evacuation of livestock premises when it is used. Obviously Applicants' formulation, as claimed would be inoperative in the Knesler, et al formulation.

Moreover, since the Knesler formulation already contains ammonia, if that product were used in Applicants' formulation, Applicants' propionic acid would be immediately consumed by the ammonia and hence would not remove ambient ammonia from decomposing litter, etc.

Applicants' revised claims now distinguish the use of propionic acid in reacting with ambient ammonia to form the disinfecting ammonium propionate.

THE PCT PUBLICATION TO GLUCK:

The Gluck publication discloses the use of an iodine compound which is stabilized due to a reaction with an iodophor and a peroxide, however no reaction with ammonia and propionic acid is disclosed which produces the disinfecting ammonium propionate of Applicants.

Moreover, Applicants' use of the term, "consisting of", rather than the term, "comprising" eliminates the use of a peroxide from Applicants' claimed formulation.